













# THE WILMINGTON JOURNAL.

MONDAY, MARCH 4, 1861.

The postage on this paper within the State, is 3 cts. per quarter, out of the State 5 cts. per quarter.

## Speech of Mr. Davis at Thalian Hall.—The "Peace Congress" and its Failure.

In accordance with the general desire, Geo. Davis, Esq., addressed his fellow-citizens on last Saturday evening, March 2nd, at Thalian Hall, in reference to the proceedings of the late Peace Congress, of which body he was a member, giving his opinion as to the probable effect of such proceedings in settling the distracted questions of the day.

Although the notice was very brief, having only appeared at mid-day in the town papers, the Hall was densely crowded by an eager and attentive audience, among whom were many ladies.

When Mr. Davis appeared on the stand at 8 o'clock, he was warmly received. After returning his acknowledgments for the very kind reception which his friends and fellow-citizens had given him, he remarked that he was pleased to have an opportunity of submitting his course as a Commissioner to the judgment of the people—that he shrunk from no criticism upon that course, but indeed invited and sought for it the most rigid examination. He had endeavored to discharge the duties of the trust reposed in him faithfully, manfully and conscientiously, and whatever might be thought of his policy, he felt that he had a right to demand the highest respect for the motives which actuated him in pursuing that policy.

In order to place his own position, and, as he believed, the position of North Carolina, fairly before his hearers, it might be necessary to refer to some of the antecedents of the case. At a meeting held in the Town Hall, on the 11th day of December last, resolutions were passed, drawn by himself, (Mr. Davis) in which the ground was taken that the present crisis ought not to be suffered to pass away without such a satisfactory adjustment, upon the terms and guarantees to be demanded by a united South, as will put at rest all disturbing questions at once and forever.

The same ground had been taken in subsequent meetings, and the project of adjustment, known as the Crittenden resolutions, had been directly or indirectly adopted by public opinion and by the resolution of the Legislature of the State which did him the honor to appoint him a commissioner, as something which North Carolina might accept, and less than which she could not accept.

When the crisis arising out of the last Presidential election came on, and, indeed, for years before, he held the belief that any adjustment, to be satisfactory, must be final and conclusive, and must forever put to rest all the open issues arising out of the question of slavery.—To do this, it must strike at the root of the matter. It must distinctly acknowledge and guarantee property in slaves, and extend to such property full and adequate protection, as to any other species of property. This the Crittenden propositions distinctly did south of 36 degrees 30 minutes. The Southern Commissioners went to meet the Commissioners from the North with the Constitution of the United States in one hand, and the interpretation of that instrument in the hand of the Dred Scott case in the other. They said—"We have the constitutional right, according to the decision of the highest tribunal in the land, to take our slaves into any part of the public territories, and to demand protection for them there."

We claim that we have a constitutional right to carry them even into Washington Territory, if we please; but we wish not to insist upon extreme rights. We do demand an authoritative recognition and embodiment of the principle of the Dred Scott decision so far as property in slaves is concerned, under the United States, being willing to concede to the North all territories above 36 degrees 30 minutes, but demanding distinct recognition and protection for our slave property below that line." This distinct recognition of the right of property in slaves, not merely as the creature of local municipal law, and the duty to protect it like other property wherever the jurisdiction of the Federal Government extends, was the vital principle which alone gave value to the Crittenden resolutions. The resolutions did not claim that the South had a right to demand, but they embodied a principle which lay at the root of the matter, and therefore the South was willing to take them, seeking for peace and for a final settlement.

Having thus referred to his own previous position, and what he believed to be the position of the State, so far as that could be inferred from the resolution of the Legislature, appointing Commissioners, he would now turn to the action of the "Peace Congress" itself, merely stopping to notice some objections which had been made against that body; first, because it sat with closed doors, and second, because of the length of time it remained in session. In the first instance, had the public been admitted, members might have been disposed to talk for effect, and the excitement of the public mind increased, while at the same time speeches delivered or committed early made, being reported and spread to the world, might hamper the judgments and control the action of members in spite of any arguments or considerations that might be subsequently brought to their attention. As regards the length of time during which the Congress remained in session, he could truly say that to his colleagues and to himself this protracted session was the occasion of serious inconvenience and even loss. But they had gone there to exhaust every honorable means to obtain a fair, honorable and a final settlement of existing difficulties. He had done so to the best of his abilities, and had been unsuccessful; for he could never accept the plan adopted by the "Peace Congress" as consistent with the rights, the interests or the dignity of North Carolina. Never!

As it so happened that the other four commissioners from North Carolina were equally divided on most questions, the responsibility of giving the casting vote, generally, if not always, devolved upon him. He therefore felt that the greater obligation rested upon him to give a full and candid statement of how he had met that responsibility.

The session had been a protracted one. Every word of the resolutions had been scanned, criticized, weighed and pondered, both in committee and in full convention or congress. Five distinct and separate times, in one shape or another, the true vital principle of the Crittenden propositions—the recognition of property in slaves, had been brought to a vote, and five distinct and separate times it had been voted down overwhelmingly. There is no such recognition in the most important and most debated section of the report of the congress, known as the Territorial Section. That section provides: first, that in all the present territory of the United States, North of the parallel of 36 degrees 30 minutes of North latitude, involuntary servitude, except in punishment for crime, is prohibited. In all the present territory South of that line the status of persons held to service or labor, as it now exists, shall not be changed. What is meant by status? The North admits of no status of slavery, save as the creature of local municipal law. Now the only slavery thus existing in the territories South of 36 degrees 30 minutes is in New Mexico and in the Indian Territories, granted by treaty to the Cherokee and other Indian nations.—The number of slaves in New Mexico, even with the assistance of a strong slave code, is merely nominal, and not held by permanent residents. Congress has not yet submitted this proposition to the States, but even supposing it had submitted it, it could not be embodied into the Constitution of the United States for at two years, and before that time, the Republican Congress will have abolished the status of slavery in New Mexico. A bill to that effect has already passed one branch.

But remark again, in reference to the Indian territory, how the use of the word "present" comes in and operates. Although, in the course of things, this valuable and fertile region, lying West of the State of Arkansas, eminently adapted to the employment of slave labor, and of great importance to the South, must eventually revert to the United States and become territory thereof, it is not "present" territory of the United States.

But this section goes on further to provide that—"No law shall be passed by Congress or the Territorial Legislature to hinder or prevent the taking of such persons from any of the States of this Union to said Territory, nor to impair the rights arising from said relation, but the same shall be subject to judicial cognizance in the federal Courts according to the course of the common law." This looks fair enough, yet it is perfectly illusory and worse than illusory, and meant to be so.—What is meant by the common law? What common law is referred to? The Federal Courts have no common law jurisdiction, although questions involving common law may come up before them from the States where such law is in force. What common law, then?—The English common law, or the Northern common law—the common law which they assert is opposed to slavery—the common law which says that freedom is national, and slavery local? By whom is this common law to be administered? In the Territories of the United States? Why, by Black Republican Courts, appointed by Black Republican Presidents. This was exactly the understanding of the Republican members of the Congress, as freely admitted by some of them; and, to show this more fully, a proposition offered to the effect that, in the appointment of judges and other officers for any territory or territories north of 36 degrees 30 minutes, it should be required for their confirmation, that a majority of Senators from non-slaveholding States should vote for such confirmation; and that in territory or territories South of that line, a majority of Senators from slaveholding States should be required to vote for the confirmation of such officers, was voted down; thus showing the determination of the North to place slave property in the territories at the mercy of Republican officers, providing them at hand with a power to interpret away all rights of the owners of such property.—But even if the common law gave civil remedies, it has no penalties for the abduction, kidnapping or stealing of slaves; and the Courts alone, under the common law, even if, by a favorable interpretation, they might enable the owner of a slave to maintain a civil action against an insolvent, irresponsible, worthless slave-stealer, that would be poor satisfaction and less protection; and according to this section, no power on earth can give this needed protection.

For this section he could not vote. It deprived the South of everything, and gave nothing. North Carolina, Virginia and Missouri voted together, and against it.

The second section virtually prohibits the acquisition of any new territory. North Carolina voted against that, though caring very little one way or the other.

The third section provides against any future amendment of the Constitution being construed to give power to interfere with involuntary servitude in the States or the District of Columbia without the consent of Maryland and of the owners of slaves, or in the dockyards in slaveholding States, or with the inter-State slave trade. For this third section, North Carolina, Virginia and Missouri voted, as also for the fourth section, in which we refer the reader as found elsewhere in to-day's paper. In the confusion of voting, he had made a mistake, and telegraphed to the journals here that North Carolina had voted for only one of the propositions, while in fact she voted for two. Against the fifth section he voted also, upon the ground that if the present Confederate States remain separate and maintain their independence, a man moving a slave two yards across an imaginary line from South Carolina into Columbus or any other border county, might be held guilty of piracy. We would have a beautiful state of things under that system! He could not vote for nor support the sixth section, because it makes irreparable much that he regards as wrong and oppressive and degrading to the South.

The seventh section reads thus, and is, if possible, worse than anything else in the whole affair: "Sec. 7. Congress shall provide by law that the United States shall pay to the owner the full value of his fugitive from labor in all cases where the marshal, or other officer, whose duty it was to arrest such fugitive, was prevented from doing so by violence, or intimidation from mobs or riotous assemblages, or when, after arrested, such fugitive was rescued by force, and the owner thereby prevented and obstructed in the pursuit of his remedy for the recovery of such fugitive. Congress shall provide by law for securing to the citizens of each State the privileges and immunities of citizens in the several States."

To effect, and no doubt the object of this section is to promote, encourage and facilitate the gradual abolition of the Border States. Congress is to buy up the negroes, making the South pay all the cost of despoiling herself. A. of North Carolina, has a negro spirited off to Boston, and when he tries to get him, a mob prevents him, and North Carolina, from whom the negro is stolen, must be taxed equally to pay for him with Massachusetts, whose abolitionists have stolen him in violation of the law and the constitution.

The closing sentence of this section is most peculiarly noteworthy, because of the object in view, which was plainly avowed in conference. That object was to allow Northern free negroes to come to any point South, and there claim and exercise all the rights of citizenship. In order to test this, an amendment was offered, making it read that "Congress shall provide by law for securing to the free white citizens of each State," etc. The amendment was rejected by an overwhelming vote, and the words "free white" were not inserted. Further, in order still more fully to test the matter, Mr. Davis arose in his place, and enquired of one of the Commissioners from Massachusetts—Mr. Crowningshield, we think—if he considered free negro citizens of Massachusetts? His reply was "Yes, certainly." "And under this you would insist that, when coming to North Carolina, for instance, these people, not so considered by us, should have all the privileges and immunities of citizenship?" "Certainly." "So that in fact all our police regulations excluding free negroes from other States—for requiring that free negro sailors shall be under certain restrictions in our ports, and in fact all laws of this kind, framed for our own protection, and necessary thereto, would fall to the ground. That is exactly what the North means by this last sentence of section seven."

But even this Franklin Substitute, mean as it is, deceptive as it is, passed by a minority vote at last. Three Northern States did not vote on it at all. The vote of nine given for the thing was a decided minority of the Congress, and even at that its passage was an accident. It could not have passed but for the accidental absence of Mr. Fields of the New York delegation, who would have voted the State against it with his delegation. Mr. Fields being absent, there was a tie in the New York delegation, and that delegation did not vote. Further, the U. S. Congress has refused to take upon these useless and emasculated propositions or to recommend them to the States for action.

But it might be asked how, on most, if not all of the propositions, North Carolina, Virginia and Missouri were found voting with New York, Massachusetts, and perhaps other Black Republican States in opposition to them. He would answer, that although they were so found, their motives were very different. The dissenting Southern States voted against the proposed amendments to the Constitution on their merits, and because they regarded them as wholly inadequate, if not worse. The Republicans who voted against them did so because they were opposed to any amendment or even appearance of deserting the Chicago platform. The Constitution, as explained by the Chicago platform, is good enough for them—so they said in effect.

Terms more satisfactory the North will never assent to, or concede to us, in the Union. Had every Southern member of the Conference stood firmly on one thing—the Crittenden project or the Virginia platform, the North might have yielded, but the South did not stand firm in demanding her rights, and now that, after a sort of way, this Franklin Substitute has been agreed to by a portion of the South, neither the people nor the Legislature nor the Representatives of the North will ever move a step from their position. It had been urged upon him to vote for this thing under protest. He did not believe in voting wrong and shielding himself behind a "protest." He was asked to vote for this thing so as, although he could not assent to it, he might let it still go before the people of the State. He did not regard it as any settlement—he could not vote for it, as any settlement—he did not think with his views, he could honestly vote to lay it before the people of the State as a settlement, for it was no settlement, but a snare and an illusion.

Mr. Davis re-stated and summed this up, by emphatically declaring that the South could never—never obtain any better or more satisfactory terms while he remains in the present Union, and for his part he could never assent to the terms contained in this report of the Peace Congress, as in accordance with the honor or the interests of the South. Never!

Everything showing the spirit of the Republicans—they had passed the most oppressive tariff that had ever been heard of. They would tax us to death to protect and build up themselves, and at the same time pay the agents of the underground Railroad for running off our negroes. How could Wilmington, oppressed by a tariff of forty per cent, and upwards, expect to hold her own with Georgetown or Charleston, or any port of the Confederate States, with ten per cent duties?

No arrangement had been made—none would be made. The division must be made on the line of slavery. The South must go with the South, and not with any new-fangled central Republic, or as the tail-end and victim of a Free Soil North.

We have so far endeavored to report as accurately as possible, from memory, the substance of Mr. Davis' remarks, or at least the principal points of them. If in any respect we have misrepresented his position we shall freely correct the error as soon as our attention is called to it. Owing to the importance of the subject and the gravity of the occasion, we have devoted more space than usual to a sketch of this very able and eloquent address, which occupied a little over an hour in the delivery, and was loudly applauded at different points in its progress and also at its close. When Mr. Davis had concluded, Hon. S. J. Person moved that the thanks of the meeting be tendered to Mr. Davis for the able, manly and patriotic manner in which he had discharged the duties of his position as a Commissioner from North Carolina. The motion was enthusiastically carried.

We ought perhaps to remark before concluding, that we understood that Messrs. Reid, Barringer and Davis, constituted the majority of the North Carolina commissioners, and Messrs. Ruffin and Morehead the minority. We did not understand that the gentlemen composing the minority desired to vote for all the propositions as wholly approving them, but we think assigned as a reason for being willing to give them a quasi approval, that they wished to see their people would do with them. His (Mr. Davis') reasons for not yielding to this pressure have already been stated.

All through the centre and west of this State telegrams were sent and assertions made, that all was satisfactorily settled, and this was done to affect the elections, and they may have done so—they may even have defeated Convention, for the present, but the truth will yet come out, and the force of circumstances be felt.—Mr. Davis is no fire-eater. He has always been a consistent Union man—a member of the "Union Party." He has come to his present conclusion because he has kept his eyes and ears open, and what he has seen and heard, have forced him to it. Others are coming and will continue to come until all opposition will be futile.

We append the Franklin Substitute in full, so that the reader may turn to it for reference, as he reads our imperfect sketch of Mr. Davis' speech. That it is no settlement—that there will be no settlement, is evident, and yet today Abraham Lincoln takes his seat, the issue is upon us, and in all probability it will be seen that North Carolina has taken no step to be ready to meet it or to act in any way for her own protection. The following is the document:

N. C. 1st. In all the present Territory of the United States, North of the parallel of 36 degrees 30 min. of N. latitude, involuntary servitude, except in punishment for crime, is prohibited. In all the present Territory South of that line, the status of persons held to service or labor, as it now exists, shall not be changed. In the present Territory of the United States, North of the parallel of 36 degrees 30 min. of N. latitude, involuntary servitude, except in punishment for crime, is prohibited. In all the present Territory South of that line, the status of persons held to service or labor, as it now exists, shall not be changed. In the present Territory of the United States, North of the parallel of 36 degrees 30 min. of N. latitude, involuntary servitude, except in punishment for crime, is prohibited. In all the present Territory South of that line, the status of persons held to service or labor, as it now exists, shall not be changed. 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